

RECEIVED  
CENTRAL FAX CENTER  
FEB 18 2009

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dabak  
Serial No.: 10/601,866  
Filed: June 23, 2003

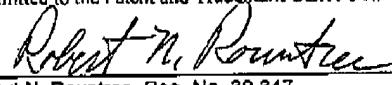
Docket No.: TI-28441A  
Examiner: Corrielus, Jean  
Art Unit: 2611  
Conf. No.: 7204

For: SPACE TIME BLOCK CODED TRANSMIT ANTENNA DIVERSITY  
FOR WCDMA

TERMINAL DISCLAIMER TO OBLVIAE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

|   |  |
|---|--|
| CERTIFICATE OF FAX TRANSMITTAL  |  |
| I hereby certify that the above correspondence is being facsimile<br>transmitted to the Patent and Trademark Office on February 18, 2009. |  |
| <br>_____<br>Robert N. Rountree, Reg. No. 39,347       |  |

Petitioner, Texas Instruments Incorporated, a Delaware corporation having a principal place of business at 8505 Forest Lane, Dallas, Texas 75243; P. O. Box 655474, Dallas, Texas 75265, is the owner of 100 percent interest in the instant application, as demonstrated by the Assignment which is recorded at Reel 9630, Frame 0396. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 7,366,266. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, if found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned attorney of record is empowered to act on behalf of the corporation.

The undersigned has reviewed the evidentiary document(s) listed above and certifies that to the best of his knowledge and belief, title is in the assignee seeking to take the action stated above.

Please charge any necessary fee to the deposit account of Texas Instruments Incorporated, Account No. 20-0668. This form is submitted in triplicate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



Robert N. Rountree  
Attorney for Applicant  
Reg. No. 39,347

Robert N. Rountree, LLC  
70360 Highway 69  
Cotopaxi, CO 81223  
Phone/Fax: (719) 783-0990